

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

JAMES LA VELL HARRIS,
Plaintiff,

v.

J. FINDLEY, et al.,
Defendants.

Case No. 15-cv-00850-NJV

**ORDER STRIKING AMENDED
COMPLAINT**

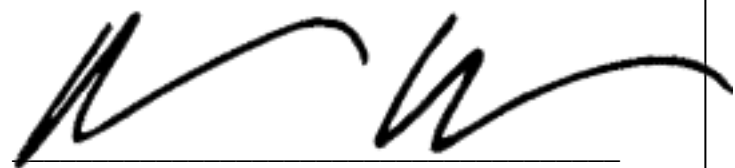
Re: Dkt. No. 31

On September 1, 2015, the court entered an order granting Defendants' Motion to Dismiss and informing Plaintiff on what grounds he may file an Amended Complaint. (Doc. 30.) On September 8, 2015, Plaintiff filed an Amended Complaint, purporting to do so pursuant to Rule 15(b), Federal Rules of Civil Procedure. (Doc. 31.) Rule 15(b) provides for amendments before and after trial. This case has not yet been tried, nor is it currently in trial. Accordingly, Rule 15(b) provides no basis for the filing of an amended complaint in this case. If Plaintiff chooses to file an amended complaint, he must do so in compliance with this court's order of September 1, 2015, which the Amended Complaint filed September 8, 2015, is not.

Accordingly, the Amended Complaint filed September 8, 2015, is HEREBY STRICKEN and will not be considered for any purpose.

IT IS SO ORDERED.

Dated: September 11, 2015



NANDOR J. VADAS
United States Magistrate Judge